

STEP 1

Decide the Level of Investigation

Things to Consider:

- Does the complaint have sexual undertones?
- What is the severity of the complaint?
- Can an investigation be avoided through mediation?

STEP 2

Recommend Immediate Action if Needed

Things to Consider:

- Separate the alleged harasser from the complainant
- Separate the complainant from the harasser
- Consult with General Counsel to address potential criminal allegations

STEP 4

Plan the Investigation

Things to Consider:

- Who complained? Who is the alleged wrongdoer?
- What is the alleged misconduct? Are there witnesses?
- How many incidents have been alleged?
- When and where did the incidents occur?

STEP 3

Conflict of Interest Determination

Things to Consider:

- Level of perceived impartiality by involved parties?
- Can investigator maintain professionalism without interference from personal feelings or bias?

STEP 5

Conduct Interviews

Things to Consider:

- Interview complainant and witnesses first..
- Interview complainant promptly
- Interview witnesses and alleged harasser within 5 days
- Document interview summaries within 24 hours

STEP 6

Gather Documents and Physical Evidence

Things to Consider:

- Consider all types of evidence: emails, text messages, phone messages, letters, notes, photographs, time and attendance records, building access records, gifts, etc.
- Need help obtaining evidence? Consult agency counsel

STEP 8

Document the Investigation

Things to Consider:

- Sample investigation report for guidance
- Revise investigation plan, where necessary
- What was the allegation? How was it received? What was done to investigate?

STEP 7

Evaluate the Evidence

Things to Consider:

- Weigh all evidence, determine "the facts" of what occurred
- Credibility of competing evidence? Plausibility, contradictions, omissions, motives, demeanor of witnesses?
- Use the facts to tell a story of what happened

STEP 9

Recommend Action

Things to Consider:

- Are the findings conclusive? Are vague policies responsible for inconclusive findings? What could be changed?
- Are the allegations made in good faith?
- Provide recommendations to agency General Counsel